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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,372	06/30/2003	Kirk Soluk	MS1-1575US	3151
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LEE & HAYES PLLC 601 W Riverside Avenue Suite 1400 SPOKANE, WA 99201			EXAMINER BARQADLE, YASIN M	
			ART UNIT 2456	PAPER NUMBER
			MAIL DATE 11/14/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/611,372	<b>Applicant(s)</b> SOLUK ET AL.	
	<b>Examiner</b> YASIN M. BARQADLE	<b>Art Unit</b> 2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 6-34 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **Response to Amendment**

1. Applicant's arguments filed on February 07, 2008 have been considered, however they are moot in view of the new grounds of rejection.

- Claims 1-5 and 7-34 are presented for examination.

### ***Allowable Subject Matter***

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 7-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson USPN (7093005).

As per claim 1 and 30-31, Patterson teaches a method and computer readable media having a computer programs, comprising:

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identifying at least one role associated with a target server (col. 4, lines 14-28);

identifying one or more services associated with the role (col. 4, lines 14-28 and col. 27, lines 14-28); assigning one of the one or more roles role to target server that the target server is capable of performing (e.g., firewall or load balancer col. 27, lines 14-28 and col. 28, lines 9-54. see also col. 31, lines 42-59 ); presenting the identified services and ports associated with the role to a user(col. 27, lines 14-28 and col. 28, lines 9-54 see fig. 4A-4C); and requesting the user to select among the identified ports for activation in the target server (col. 27, lines 14-28 and col. 28, lines 9-54, see fig. 4A-4C).

Although Patterson shows substantial features of the claimed invention including identifying current configuration of a target server and one or more role capable of the target server“ In one embodiment, a user can store information that identifies a current configuration of a firewall or load balancer, so that the configuration information can be applied to other firewalls or load balancers of other IDCs or farms in the user's account. This process is called taking a "snapshot" of the configuration of the firewall or load balancer. To store a snapshot, a user may right-click on a firewall or a load balancer in the Farm Builder page (Editor) and select a "Snapshot . . . " option from the context menu that is displayed in

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response. In response to selection of the Snapshot option, a Snapshot Configuration window is displayed. The window provides a message to the user that confirms that the system is about to store a snapshot of the configuration of the current firewall or load balancer node.,” (col. 31, lines 42-59). Patterson is silent with respect to obtaining a current configuration from a server.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Patterson. Giving the teaching of Patterson, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of obtaining the configuration information of a target device to identify and configure the target device with the appropriate role it is capable to perform.

As per claim 2 and 33, Patterson teaches the method as recited in claim 1 wherein the identified services and ports are limited to those that are relevant based on information obtained from a knowledge base (col. 3, lines 3-29 and col. 9, lines 51-67. See databases in fig. 1D).

As per claim 3, Patterson teaches the method as recited in claim 1 wherein the identified services and ports are limited to those that are relevant based on information regarding a target server col. 9, lines 51-67 and col. 28, lines 9-54).

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As per claim 4, Patterson teaches the method as recited in claim 1 further comprising activating the selected services and ports (col. 27, lines 14-28 and col. 28, lines 9-54 see fig. 4A-4C).

As per claim 5, Patterson teaches the method as recited in claim 4 wherein at least one of services associated with the one assigned role and the ports associated with the roles are identified from a knowledge base (col. 3, lines 3-29; col. 9, lines 51-67 and col. 28, lines 9-54 see fig. 4A-4C).

As per claims 7 and 32, Patterson teaches deactivating unselected services and ports (col. 28, lines 9-54 and col. 29, lines 28-51).

As per claim 8, Patterson teaches the method as recited in claim 1 further comprising generating an output file containing services and ports selected by the user col. 28, lines 9-54 and col. 29, lines 28-51, see fig. 4A-4C).

As per claim 9, Patterson teaches the method as recited in claim 1 further comprising displaying details regarding the one assigned role in response to a request by the user (see fig. 4A-4C).

As per claim 10 and 34, Patterson teaches displaying a list of options for handling a service associated with the target server that is not defined in a knowledge base (col. 9, lines 51-67 and col. 28, lines 9-54 see fig. 4A-4C).

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As per claim 11, Patterson teaches the method as recited in claim 10 further comprising requesting the user to select an option for handling the service (col. 9, lines 51-67 and col. 28, lines 9-54 see fig. 4A-4C).

As per claim 12, Patterson teaches One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 1 (see fig. 1D).

As per claim 13 and 18-19, Patterson teaches the method comprising: identifying one or more roles associated with a target server (col. 4, lines 14-28 and col. 27, lines 14-28); identifying one or more services associated with the roles (col. 27, lines 14-28 and col. 28, lines 9-54); displaying the identified services associated with the roles ((col. 27, lines 14-28 and col. 28, lines 9-54); allowing a user to modify the displayed services (§0022-0026); and identifying the modified services as active services and identifying the unmodified services as inactive services (col. 27, lines 52-65 and col. 28, lines 9-54. see fig. 4A-4C). Patterson further teaches identifying the selected ports as active ports and identifying the unselected ports as inactive services (col. 27, lines 52-65 and col. 28, lines 9-54. see fig. 4A-4C);

generating an output file that includes identities of the active services (col. 28, lines 9-54 and col. 29, lines 34-51. see fig. 4A-4C); and

transforming the output file into at least one of one or more native

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scripts or one or more configuration files for application on the target server (col. 20, lines 6-28).

As per claim 14, Patterson teaches the method as recited in claim 13 wherein identifying services associated with the role includes retrieving data from a knowledge base (col. 30, lines 40-63).

As per claim 15, Patterson teaches the method as recited in claim 13 further comprising generating an output file containing services modified by the user (col. 27, lines 52-65 and col. 28, lines 9-54. see fig. 4A-4C).

As per claim 16, Patterson teaches the method as recited in claim 13 wherein the user is responsible for configuring the target server (col. 27, lines 52-65 and col. 28, lines 9-54. see fig. 4A-4C).

As per claims 17 and 20, Patterson teaches method as recited in claim 13 wherein the generating an output file includes generating an XML file (col. 39, lines 40-65).

As per claim 20, Patterson teaches method as recited in claim 19 further comprising generating an output file identifying ports selected by the user (col. 28, lines 9-54 and col. 29, lines 34-51. see fig. 4A-4C).



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As per claim 21, Patterson teaches method as recited in claim 19 wherein the one or more ports are identified using information contained in a knowledge base (§0022-0027 and 0032).

As per claim 22, Patterson teaches method as recited in claim 19 further comprising identifying one or more services associated with the one assigned role (col. 28, lines 9-54 and col. 29, lines 34-51; col. 31, 42-65. see fig. 4A-4C).

As per claim 23, Patterson teaches method as recited in claim 22 further comprising:

displaying one or more ports associated with the role (col. 28, lines 9-54 and col. 29, lines 34-51); and

requesting the user to select among the one or more ports to activate in the target server (col. 28, lines 9-54 and col. 29, lines 34-51. see fig. 4A-4C).

As per claim 24, Patterson teaches one or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim (see fig 1D)

As per claim 25, Patterson teaches an apparatus comprising:

a pre-processor to receive information regarding server roles from a knowledge base and to receive characteristics of a target server (col. 3, lines 3-

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29 and col. 9, lines 51-67. See databases in fig. 1D), wherein the pre-processor generates a file containing server role information relevant to the target server ((col. 28, lines 9-54 and col. 29, lines 34-51. see fig. 4A-4C), and wherein information in the file regarding services and ports associated with the server roles is presented to a user for selection ((col. 28, lines 9-54 and col. 29, lines 34-51. see fig. 4A-4C); and a configuration engine coupled to the pre-processor, wherein the configuration engine configures the target server based on the user's selection of services and ports (col. 8, lines 4-54 and col. 29, lines 34-51. see fig. 4A-4C).).

Regarding the limitation of characteristics including one or more roles that the target is capable of performing (see the rejection claim 1 above).

As per claim 26, Patterson teaches the apparatus as recited in claim 25 further comprising a user interface application to generate an output file identifying services selected by the user (col. 8, lines 4-54 and col. 29, lines 34-51. see fig. 4A-4C).

As per claim 27, Patterson teaches the apparatus as recited in claim 25 further comprising a user interface application to generate an output file identifying ports selected by the user (col. 8, lines 4-54 and col. 29, lines 34-51. see fig. 4A-4C).

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As per claim 28, Patterson teaches the apparatus as recited in claim 26 wherein the configuration engine applies the output file when configuring the target server (col. 8, lines 4-54 and col. 29, lines 34-51. see fig. 4A-4C).

As per claim 29, Patterson teaches the apparatus as recited in claim 27 wherein the configuration engine applies the output file when configuring the target server (col. 8, lines 4-54 and col. 29, lines 34-51. see fig. 4A-4C).

### **Conclusion**

**ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yasin M Barqadle/

Primary Examiner, Art Unit 2456

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